**MC/23/2597**
**Date Received:** 20 November 2023

**Location:** Land At Former Deangate Ridge Golf Club Dux Court Road
Hoo Rochester

**Proposal:** Change of use from former golf course to community park comprising works to existing access and car park, cycle parking, formation of footpaths, landscaping, tree/scrub planting, boundary treatments, site interpretation and benches with associated works.

**Applicant** Tay Arnold

**Agent** BPTW
Gerry Cassidy 40 Norman Road
Greenwich
London
SE10 9QX

**Ward:** Hoo St Werburgh & High Halstow

**Case Officer:** Chantelle Farrant-Smith

**Contact Number:** 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 14th February 2024.**
**Recommendation - Approval with Conditions**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Received 20 November 2023:
11511-LD-PLN-001 REV P02 - Site Location Plan
11511-LD-PLN-010 REV P01 - Illustrative Masterplan
11511-LD-PLN-100 REV P02 - General Arrangement Plan (1 of 9)
11511-LD-PLN-101 REV P02 - General Arrangement Plan (2 of 9)
11511-LD-PLN-102 REV P02 - General Arrangement Plan (3 of 9)
11511-LD-PLN-103 REV P02 - General Arrangement Plan (4 of 9)

11511-LD-PLN-1024 REV P02 - General Arrangement Plan (5 of 9)
11511-LD-PLN-105 REV P02 - General Arrangement Plan (6 of 9)
11511-LD-PLN-106 REV P02 - General Arrangement Plan (7 of 9)
11511-LD-PLN-107 REV P02 - General Arrangement Plan (8 of 9)
11511-LD-PLN-108 REV P02 - General Arrangement Plan (9 of 9)
11511-LD-DET-600 P01 - Typical Details Fencing Gates
11511-LD-PLN-202 REV P02 - Proposed Site Sections
Received 22 January 2024:
11511-LD-DET-601REV P02 - Typical Details Site Furniture
Reason: For the avoidance of doubt and in the interests of proper planning.

3 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

i. a timetable for its implementation, and

ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The development shall be implemented in accordance with the approved details and shall thereafter be retained.
Reason: Required before commencement of the development in order to manage surface water during and post construction and for the lifetime of the development in accordance with Paragraph 167 of the NPPF.

4 No development shall take place until an Air Quality Emissions Mitigation Assessment and Statement has been submitted to and approved in writing by the Local Planning Authority. The Mitigation Assessment and Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall specify the measures that will be implemented as part of the development to mitigate the development related road transport emissions. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost value calculated as part of the Air Quality Mitigation Assessment. The Mitigation Statement shall include full details of all mitigation to provided. The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved details.

Reason: Required prior to commencement of development to ensure the development does not prejudice conditions of amenity by way of poor air quality in accordance with Policies BNE2 and BNE24 of the Medway Local Plan 2003.

5 Within three months of commencement of works, a Landscape and Ecological Management and Monitoring Plan (LEMMP) will be submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMMP will be based on the information submitted within the Landscape Management and Maintenance Plan, LUC, November 2023, and will include the following:

- Description and evaluation of features to be managed.
- Constraints on site that might influence management.
- Aims and objectives of management, in alignment with the Biodiversity Net Gain habitat type and condition targets.
- Details and locations of additional biodiversity enhancements to be provided for priority and red/amber list bird species, bats, reptiles, and invertebrates.
- Appropriate management prescriptions for achieving aims and objectives.
- Information regarding remedial measures (such as additional fencing of ponds, scrub and/or woodland areas to alleviate recreation impacts).
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period, for the operational lifetime of the site).
- Details of the body or organisation responsible for implementation of the plan.
- Details of proposed methodology and timings for a long-term monitoring program for all habitats (in accordance with the BNG targets), protected plant species, breeding birds, great crested newt (GCN), invertebrates, reptiles and bats.
- Timetable for implementation.

Methodologies included in the LEMMP shall be designed to enable meaningful comparison with the baseline survey data (within the Landscape Management and Maintenance Plan, LUC, November 2023). Habitat monitoring locations will include fixed point photographs to evidence habitat creation/enhancement. Habitat and species survey reports (in years where these are undertaken),

including details of any proposed remedial measures, will be submitted to the Local Planning Authority for written approval in years 2, 5, 10, 15, 20 and 30.

The LEMMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer, with details of the management body(ies) responsible for its delivery and future management. The approved plan will be implemented in accordance with the approved details in accordance with the timetable approved.

Reason: To ensure that the development is suitable for its location and in respect to the close relationship to the SSSI site in the vicinity in accordance with Policies BNE35, BNE37 and BNE39 of the Medway Local Plan 2003 and paragraph 180 of the National Planning Policy Framework 2021.

6 Prior to the commencement of works (including site clearance), a biodiversity method statement shall be submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the following:

- Purpose and objectives for the proposed habitat and species mitigation works.
- Extent and location of proposed construction and mitigation works shown on appropriate scale maps and plans.
- The identification of biodiversity protection zones and any proposed use of protective fences, exclusion barriers and warning signs.
- An update site survey within 3 months prior to commencement to (a) confirm that the condition/management of the onsite habitats is consistent with that recorded during the ecological assessment, such that the potential for protected species to occur has not changed, and (b) identify any additional badger setts. Should new setts be identified, all required surveys and mitigation/licensing will be implemented prior to works being undertaken in the vicinity of the sett/s.
- Precautionary mitigation measures to be implemented during vegetation clearance and landscaping works to protect ancient and priority habitat woodland, ponds, protected plant species, and protected species such as breeding birds (including ground-nesting species), badger and reptiles.
- A Non-Licensed Method Statement for great crested newt.

- Reference to the arboricultural method statement to protect retained trees and hedgerows.
- Precautionary methods to avoid capture of animals within open trenches and use of temporarily stored materials as refugia.
A methodology for preliminary ground level roost assessment of trees for bats followed by close-inspection, presence/likely absence surveys and mitigation (as required) regarding any trees which require removal or pruning. Where roosting bats are confirmed, all mitigation and licensing will be approved by Natural England and implemented prior to the relevant tree works being undertaken.
- A detailed timetable for implementation of all proposed mitigation, demonstrating that works are aligned with the proposed timing/phasing of construction.
- Procedure to be followed should a protected species be found within the construction area during works.
- Persons responsible for implementing the mitigation works, including times during construction when specialist ecologists need to be present on site to undertake/oversee works and/or to provide Toolbox Talks.
- Initial aftercare and long-term maintenance of mitigation measures (such as temporary fencing), and;
- Disposal of any wastes from implementing work.

The works shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure that the development is suitable for its location and in respect to the close relationship to the SSSI sites in the vicinity in accordance with Policies BNE35, BNE37 and BNE39 of the Medway Local Plan 2003 and paragraph 180 of the National Planning Policy Framework 2021.

7 Notwithstanding the submitted details, prior to the commencement of work on site full details of soft landscape works and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not limited to existing and proposed levels, detailed planting plans & planting specifications, tree pit details (including soil build-up, tree cells, supports & accessories). The supply, planting and maintenance of new trees through to independence in the landscape shall be compliant with guidance and recommendations contained in British Standard 8545:2014 'Trees: from nursery to independence in the landscape - Recommendations').

The development shall be implemented in accordance with the approved details and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

8 Prior to the bringing into use of the community park herein approved, a landscape management plan, shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas for a minimum period of five years and arrangements for implementation. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

9 No development shall commence, and no equipment, machinery or materials shall be brought on to the site for the purposes of the development until an Arboricultural Method Statement and the Tree Protection Measures have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be installed prior to the development commencing and shall be maintained until all equipment, machinery and surplus waste or materials have been removed from the site.

Reason: To ensure no irreversible detrimental harm to the existing trees and to protect and enhance the appearance and character of the site and locality and ecological benefits of this habitat and green network, in accordance with Policies BNE35, BNE37 and BNE43 of the Medway Local Plan 2003.

10 No development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, hours of working, parking of operative's vehicles, deliveries to the site, noise, dust and lighting arising from the construction phase of the development has been submitted to

and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

Reason: Required before commencement of development in order to minimise the impact of the construction period on the amenities of local residents with regard to BNE2 of the Medway Local Plan 2003.

11 No development shall take place until the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority has been secured so that the excavation is observed, and items of interest and finds are recorded. The watching brief shall be carried out in accordance with a written programme and specification, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on any archaeological interest and in accordance with Policy BNE21 of the Local Plan 2003.

12 No external lighting shall be installed without prior approval of the Local Planning Authority.

Reason: In order to limit the impact of the lighting on the surrounding landscape and wildlife and with regard to Policies BNE1, BNE5, BNE25, BNE34 and BNE39 of the Medway Local Plan 2003.

13 If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with. The development shall thereafter be implemented in accordance with the approved Method Statement.
Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

14 No part of the development shall be occupied until vehicle parking provisions have been submitted to and approved in writing by the Local Planning Authority. The parking spaces as approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities to reduce the likelihood of roadside parking which would be detrimental to the free flow of traffic and to highway safety.

15 No part of the development shall be occupied until details of cycle storage facilities (including the provision of individual lockers) have been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be implemented in accordance with the approved details.

Reason: to ensure satisfactory cycle storage in accordance with Policy T4 of the Medway Local Plan 2003.

16 No part of the development shall be occupied until the refuse bin storage area have been provided in accordance with the approved drawing. These facilities shall always be kept available for use in association with the development.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development.

**Proposal**

This application seeks full planning permission for the change of from former golf course to community park comprising works to existing access and car park, cycle parking, formation of footpaths, landscaping, tree/scrub planting, boundary treatments, site interpretation and benches with associated works.

The principal works will result in new community parkland. The proposed works to facilitate the change of use would consist of:

- Change of use from golf course to community parkland
- New footpaths and boundary treatments
- Reconfiguration of the existing car park and access routes
- Landscaping, tree/scrub planting
- Installation of furniture
- Interpretation boards (heritage and ecological)

The proposal would be accessible to members of the public and seeks to improve existing biodiversity and ecology measures within the site.

**Site Area/Density**

Site Area: 43 ha.

**Relevant Planning History**

None relevant.

**Representations**

The application has been advertised on site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties.

Sports England, Hoo Parish Council, Active England, KCC Biodiversity, EDF Energy, Southern Gas Networks, Southern Water, Highways Agency, Environment Agency, Roal Society for Protection of Birds, Natural England, Kent Wildlife Trust have also been consulted.

**Two** letters have been received raising the following objections:

- The site being in an area with large equestrian usage and the proposal has no provision for equestrian use.
- Loss of the Golf Course which provided exercise for young to elderly golfers.
- Cycle network being below par and should be upgraded for Olympic cyclists.
- Tree planting and retention of trees within Medway

**National Highways** raise no objection to the proposal.
**Active Travel England** state consideration should be taken to the 'Standing Advice Note – active travel and sustainable development' document.

**Sports England** state that the community park will create opportunities for informal activity but the case for the loss of the golf course has not been clearly demonstrated therefore assessment should be made against paragraph 99 (103 as amended) of the NPPF.

**Natural England** has no comments to make on the details of the submission however provided standard advice via Appendix A note.

**Southern Water** supply a copy of their infrastructure maps and their standard requirements for development in relation to their infrastructure.

**Homes England** were consulted as the neighbouring site owner and provided comments stating they raise no objection to the principle of the development but seek assurance that this will serve existing communities within the area. Homes England also encourages sustainable links to ensure connectivity by other modes of transport and states the importance of ensuring protected species are not disturbed by the proposal requesting further information relating to habitats to be created and where.

**Bug Life** support the planning application stating through appropriate management of visitors and ongoing monitoring, this application provides an opportunity to create a valuable green space for people's health and wellbeing but also critically, a nature-rich environment. Medway Council has signed up to the Kent Biodiversity Strategy (KBS). These proposals will contribute to some of the KBS goals by connecting people with the natural environment and by developing more resilient and coherent ecological networks, whilst reducing impacts on sensitive sites such as local SSSIs.

**Kent Wildlife Trust** supports the proposed change of use and make recommendations for the creation of and management of habitats within the community parkland.

**KCC Biodiversity** advise that they are in principle supportive of the application and are satisfied that no further surveys are required to inform the decision. The mitigation overview provided by the applicant is acceptable, but a detailed 'Biodiversity Method Statement' together with a 'Landscape and Ecological Management and Monitoring Plan (LEMP)' have been requested which can be secured by condition.

**Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework December 2023 and are considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

**Site Description**

The site is approx. 16 hectares. The gardens of a residential property within Chattenden Farm meet the boundary on the Western end of the site, and a similar property on Mill Field place lies centrally on the Southern boundary. The site character is reflective of its former use as a golf course, with linear tree planting arranged around former fairways, which have largely been left unmanaged, as well as plateaus where greens once stood and overgrown sand bunkers. The golf course buildings and Indoor Bowls Club lie adjacent to the Eastern boundary and outside the application boundary.
To the north of the site is a former army training camp designated as Chattenden Woods and Lodge Hill SSSI. The southern section of the SSSI extends into the site and includes two blocks of woodland along the northern boundary. Within the woodland to the North of the site is a fenced gas compound facility with views screened by the woodland.

The rural character of the site is influenced by the proximity of neighbouring settlements that surround the site, including Hoo St Werburgh to the Southeast, and Chattenden to the west. Glimpse views in the Western end of the site, North across the Lodge Hill training facility and South towards Chattenden, strengthen the rural character and connection with the surrounding farmland.

**Planning Appraisal**

*Principle of the development*

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan).

Paragraph 103 of the NPPF refers to existing open spaces, sports and recreational buildings and land shall not be built on unless, an assessment demonstrates the land to be a surplus to requirements; the loss from the proposed development would be replaced by an equivalent or better provision; the development is an alternative sport or recreational provision the benefits of which outweigh the loss of the current or former use.

Policy S1 of the Local Plan is entitled ‘Development Strategy’ and in part states:

*“In recognition of their particular quality and character, long-term protection will be afforded to: (i) areas of international, national or other strategic importance for nature conservation and landscape;”*

Policy BNE25 of the Local Plan states that development in the countryside will only be permitted if it is in accordance with two of seven criteria (part (i) and one of the other six parts). The first three points relate to this proposal:

*“Development in the countryside will only be permitted if:*
*(i) it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, it offers a realistic chance of access by a range of transport modes; and is either.*
*(ii) on a site allocated for that use;* ***or***
*(iii) development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation);* ***or****...”*

Policy L1 of the Local Plan seeks to maintain existing levels of provision, development which would result in the loss of leisure facilities will not be permitted unless it can be shown:

*(i) that similar or better replacement is made elsewhere within the same catchment area, which is well located in relation to the primary or secondary road network and is readily accessible by public transport, pedestrians and cyclists; or*
*(ii) that there is no longer a need for the facility, and it is unsuitable for conversion to an alternative leisure use; or*
*(iii) that the site is allocated for other development in the local plan.*

The proposal is for the development of a publicly accessible, managed community parkland. The proposed change of use would result in the loss of an existing leisure facility namely Deangate Golf Course which closed in 2018. The site since then has functioned as a community asset facilitating walking and other outdoor pursuits but with limited management. The proposed use would seek to replace the former use with an alternative leisure use - community park - which is accessible to all members of the public creating a wider range of users and significantly assisting wider health benefits associated with informal use of such community parks.

The site is allocated as Open Space within the Local Plan, the use as a community parkland would retain this allocation and meet with Policy L1

in providing an alternative use. The proposal is acceptable in principle under Policy BNE25 of the Local Plan.

Overall, the primary aim of the proposed development is to contribute to and enhance the natural environment of the site, including benefits to natural capital and ecosystem services that would facilitate biodiversity net gain.

The NPPF encourages *"establishing coherent ecological networks that are more resilient to current and future pressures."* This aspect further contributes to the proposal enhancing the natural environment in the area and as part of a green network.

Furthermore, the NPPF states at paragraph 180(d) of NPPF (December 2023) that "*development whose primary objective is to conserve or enhance biodiversity should be supported."* As the proposed development meets these aims it is considered that the loss of the leisure unit in form of Deangate Golf course would not conflict with the objectives of the NPPF and is therefore not objectionable.

Therefore, the proposal is considered to be acceptable in principle and in relation to the policies and paragraphs above.

*Impact on the Countryside*

Whilst the proposal is acceptable in principle under Policy BNE25 (development in the countryside) the details of the proposal fall to be assessed in respect to part i) which requires development must maintain, and wherever possible enhance, the character, amenity and functioning of the countryside.

The first of these criteria reflects directly paragraph 180(b) NPPF 2023 concern for the "*intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services…*"

Paragraph 181 states that Local Planning Authorities should '*take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure*…'

The Medway Landscape Character Assessment 2011 shows the site predominantly within the 'Deangate Ridge' and partly within the

‘Chattenden Ridge’ character areas. These assessments have various guidelines for any development within the character areas.

In this case the proposals provide a positive response to the guidelines for Deangate Ridge including protecting the countryside from development that affects openness and diminishes rural character; and strengthen and reinforce native hedgerow and tree planting at field boundaries and around the edges of settlements. The proposal also would respond positively to the guidelines set for the Chattenden Ridge, including protecting the countryside from development that affects openness and diminishes rural character; enhancing landscape and environment, respects the historic military uses and character of this landscape; considering the role and function of SSSI buffer zones.

Referring to policy and guidance, the proposal is not considered to materially harm the character of the area but enhance it, in accordance with Policy BNE25 of the Local Plan and is sympathetic to the open nature of the countryside at this location and would enhance the wider benefits from natural capital and ecosystem services in accordance with paragraphs 180 and 181 of the NPPF.

*Design/Landscaping/Ecology*

Due to the nature of the proposed development matters of design, landscaping and ecology are all closely related and will be discussed together.

Policy BNE1 of the Local Plan 'General Principles for Built Development' requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. Policy BNE6 directs that in relation to major development important existing landscape features, including trees and hedgerows, should be retained. Policy BNE43 seek to retain trees, woodlands, hedgerows and other landscape features that provide a valuable contribution to local character. Paragraph 131 of the NPPF is key to the achieving well designed places.

Policy BNE37 of the Local Plan relates to Nature Conservation outside of Designated Sites. Policy BNE35 relates to International and National Nature Conservation Sites and the long-term protection afforded to these sites. Policy BNE38 of the Local Plan is concerned with the provision of wildlife habitats in new developments that link into wider wildlife networks. Consistent with the statutory duties Policy BNE39 of the Local Plan relates to protected species and states that "development will not be permitted if statutorily protected species and/or their habitats will be

harmed" and requires conditions or obligations to be attached to permissions to "ensure that protected species and/or their habitats are safely guarded and maintained."

Paragraph 186 of the NPPF 2021 states that development whose objective is to enhance biodiversity should be supported, while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

In support of the application there has been submitted general arrangement plans and building plans, Biodiversity Net Gain Plan and Ecological Enhancement, Ecological Impact Assessment, Arboricultural Impact Assessment containing Tree Survey, Tree Protection Plan and Arboricultural Method Statement.

The proposal involves the creation of a network of paths for leisure purposes together with ecological enhancement and biodiversity net gain within the site. This includes proposed woodland whip planting, mixed scrub whip planting, native hedge planting, marginal planting, tree planting together with the installation of bird boxes and log piles.

In terms of design, there is little design impact within the proposal due to the minor nature of the works. The details of the proposed furniture and proposed boundary treatments have been submitted and are considered to be acceptable. The furniture includes picnic benches, timber benches and other installation associated with a community park including wayfinding posts and interpretation boards which will be constructed from Oak, and which are considered acceptable. The level of hardstanding proposed for the pathways is not considered to be dominant and the material proposed is subservient in its design and palette and would sit within the landscape well.

As the details of this have been submitted with the application it is not considered necessary to further impose conditions for hard landscaping or boundary treatments and the proposal is acceptable in terms of its design.

It is accepted that the proposals represent a biodiversity net gain of 18.93% which would be achieved by the enhancement of poor-quality woodland habitats and the enhancement of scrub and bunker habitats. The BNG statement does not include the provisions of additional features proposed such as log piles, bat or bird boxes as these are not included

within the metric however these would provide additional enhancements within the site.

The proposed retention of and creation of wooded/scrub areas between the linear boundary features would aid habitat and nesting opportunities on site for bird species. The proposals would also increase foraging opportunities for bats. The proposal seeks to plant clusters of individual trees and within the Design and Access statement notes proposed planting species. However, discussions are ongoing with the applicant on species and an appropriate condition is therefore recommended.

Further conditions are recommended in relation to finalising soft landscaping, planting plans and securing tree protection measures.

The KCC Ecologist has been consulted and is satisfied that sufficient ecological information has been provided including a range of ecological information as well as outline proposals for long terms habitat management.

The mitigation overview provided by the applicant is acceptable, but a detailed 'Biodiversity Method Statement' together with a 'Landscape and Ecological Management and Monitoring Plan (LEMP)' have been requested which can be secured by condition. Furthermore, while no external lighting is proposed within the application, it is necessary to condition that no artificial lighting be installed without prior approval from the Local Planning Authority.

This would ensure that the habits being created are suitably maintained to allow for long-term success within the parkland that can be achieved over time.

Subject to the recommended conditions the proposal is considered to comply with Policies BNE1, BNE6, BNE43, BNE35, BNE37, BNE38 and BNE39 of the Local Plan and the relevant parts of paragraphs 131 and 186 of the NPPF 2023.

*Amenity*

Policy BNE2 relates to the protection of the amenities of future occupiers of the development and of neighbours in terms of privacy, daylight, sunlight, noise, vibration, heat, smell, airborne emissions. Paragraph 135f of the NPPF states that achieving well-designed places should include creating a high standard of amenity for existing and future users.

This site is remote from the urban area and whilst there are a few rural dwellings close to the boundaries of the site the nature of the works is such that no on-going negative impacts to their residential amenity would occur.

In respect to the construction phase of the development, given the proximity of some of the site to some residential dwelling a construction and environment management condition is recommended.

Therefore, subject to the recommended condition, no objection is raised with respect to amenity impacts under Policy BNE2 of the Local Plan.

*Impact on Heritage Assets*

Policy BNE18 of the Local Plan relates to listed buildings. Policy BNE21 relates to archaeology and requires that development take account of and protect from harm/mitigate/record findings at archaeological sites. Heritage matters are the subject of paragraphs 200, 201 and 202 of the NPPF and section 66 of the Planning (Listed Buildings and Conservation Area) 1990 where special regard has to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

In support of the application a Historic Environment Assessment has been submitted.
There are no designated heritage assets within the Site, however, there are nine designated heritage assets within the 1km Study Area. Seven of these comprise assets related to military activity associated with both World War One and World War Two together with Five WW1 sentry posts which are located to the west and north of the Site and are associated with the security of Lodge Hill Camp ordnance depot. A single, rare, WW1 anti-aircraft battery is also located at the northernmost point of the 1km Study Area. A line of four WW2 pillboxes all of which are covered under the same listing are located to the southeast of the Site and form a part of the Hoo Stop Line Lastly, there are also two designated assets related to the rural settlement of the area, Dux Court Farmhouse and Mill House.

The proposed change of use and the minor works proposed to facilitate the change would not result in prominent structures which would disturb the character of the area. Furthermore, the minor works would not obstruct views of the listed structures within the area or result in harm to the setting of the structures. As such it is considered that the proposal would result in a negligibly impact on the setting of these listed structures/dwellings discussed.

With respect to archaeological interest the KCC Archaeologist has not as yet responded. Due to the history of the site together with the proposals for excavation works to facilitate the proposed hard standing within the site, and the landscape measures proposed it is appropriate to condition a watching brief be submitted to ensure items of interest and finds are suitably recorded.

Therefore, subject to the recommended condition the proposal is considered to comply with Policies BNE20 and BNE21 of the Local Plan and paragraphs 200, 201 and 202 of the NPPF.

*Contamination*

Policy BNE23 of the Local Plan requires that proposals for development of land likely to be contaminated be accompanied by the findings of a site examination, which identifies contaminants. Policy BNE23 of the Local Plan and paragraphs 189 and 191 of the NPPF require that decisions should ensure that new development is appropriate for its location and takes account of the likely effects of pollution on health, living conditions and the natural environment.

The extent of the proposed works for the change of use is minor however a Preliminary Risk Assessment (PRA) by DTS Raeburn Ltd dated October 2023 was submitted with the application and is considered to be in line with current guidance. The assessment demonstrates that high contamination risk is unlikely however there is a small chemical store area to the north of site, and as such it is necessary to secure a watching brief via condition to ensure should contamination be found a method statement should be submitted to and approved by the Local Planning Authority.

Therefore, subject to the recommended condition, no objection is raised in terms of contamination under Policy BNE23 of the Local Plan.

*Flood Risk & Drainage*

Paragraphs 165 to 174 of the NPPF 2023 relate to flood risk and that new development should be both directed away from the areas at highest risk of flooding and should not increase flood risk elsewhere.

The application was accompanied by a Flood Risk Assessment (Sterling Maynard) and associated documents. The site is located in Flood Zone 1

and was formally a Golf Course which had ponds and drainage ditches on and surrounding the perimeter of the site. The Geology of the site is London Clay, and it is suggested that BRE365 Infiltration testing is carried out where possible. However, it is recognised that the site previously operated sufficient as a Golf Couse with no drainage issues and more recently with the limited changes at the site. Therefore, it is necessary to ensure that suitable drainage principles are applied to manage surface water draining during and post construction and for the lifetime of the development and an appropriate condition is recommended.

As such, subject to the recommended condition the proposal is considered to comply with paragraphs 165 to 174 of the NPPF.

*Highways*

Policy T1 of the Local Plan relates to the highways impact of new development. Paragraph 130 of the National Planning Policy Framework requires that new development functions well within the area in which it is situated. Paragraph 115 of the NPPF 2023 clarifies that development should only be prevented or refused on highways grounds if: there would be an unacceptable impact on highway safety; or the residual cumulative impacts on the road network would be severe. Paragraph 116E relates to the provision of electric vehicle charging.

The proposed site access is via the main entrance off Dux Court Road, allowing for both pedestrians and vehicles and will remain as existing. The proposal also includes the removal of the existing western access in order to allow a continuous footpath link into the parkland in this area.

Due to its previous uses, the site is poorly connected in terms of access to the wider area. There are no Public Rights of Way (PRoW) within the site and the wider network of public footpaths and bridleways within 2km of the site is largely fragmented. The only access into the site is via the large macadam car park situated between the Indoor Bowls club building and Dux Court Road forming both a pedestrian and vehicular entrance.

It is acknowledged that the golf course ceased operations in 2018 and no longer therefore has an impact on the operation of the highway network. The proposals include formalizing the car parking area, with 67 parking spaces provided, including 4 blue badge spaces. Whilst Medway do not have parking standards specific to community parks, the Transport Statement has evidenced the provision with similar parklands nearby and is considered to be adequate.

The Transport Statement contains swept path analysis (drawing no. 23176-MA-XX-XX-DR-C-7000) which illustrates the manoeuvres of a large car. The plan appears to demonstrate that the vehicle wheels clash at two points on the western side of the car park. It is the Highway Authority's view that revised tracking plans should be submitted, or the proposed number of parking spaces are amended to ensure that cars can safely manoeuvre within the car park. Furthermore, the rows of echelon parking should be offset by 1.5m to the rear which will also help to encourage reverse entry to the spaces. As further information regarding the parking layout is required this will be secured via planning condition.

The proposal includes cycle parking, with 6 Sheffield stands provided (12 spaces), with location adjacent to the access threshold into the parkland.

The development proposals are not anticipated to generate significant servicing demands, other than the occasional maintenance vehicle and refuse collection vehicle. In terms of the latter, vehicle swept path analysis has been undertaken to demonstrate that a refuse vehicle sized in accordance with Medway Council's 'Waste Management Requirements New Developments,' can access and egress the site, using the car park access as a turning head. This is deemed to be acceptable from a Highways perspective.

Therefore, subject to conditions for parking layout and cycle and servicing measures to be completed prior to occupation, the proposal is considered to comply with Policies T1 of the Local Plan and paragraphs 115 of NPPF.

*Air Quality*

An air quality assessment has been undertaken, and this states that additional traffic will be generated by the proposed park in the area, including within the Four Elms Hill Air Quality Management Area (AQMA). An action plan has been adopted for the AQMA which includes a range or measures to improve air quality in the AQMA. New development should have due to regard to the presence of AQMAs and associated AQAPs.

Recent years have seen a number of large developments receiving planning permission, (residential and commercial) and it is not obvious that the potential cumulative/in combination effects have been taken into account in the assessment. There may also be additional developments currently being considered that may need to be taken into account.

The modelling indicates substantial reductions in concentrations between the 2019 baseline year and the 2024 opening, and whilst there has been

some reduction in actual monitored concentrations in the AQMA we are not seeing the scale of reduction that is predicted. Indeed in 2021 we observed some increases, though it is appreciated this is probably as result of traffic flows bouncing back following the pandemic.

Notwithstanding the above, the development is unlikely to have any significant impact upon local air quality and therefore there is no reason that permission should not be given subject to the provision of suitable mitigation to offset the development related road transport emissions, as required by the Medway Air Quality Planning Guidance. An appropriate condition is recommended.

**Conclusions and Reasons for Recommendation for Approval**

The proposal is acceptable in principle and would enhance the ecological and biodiversity interests of this area and allow public access to a potentially high-value ecology site for leisure purposes.

Subject to the recommended conditions the proposal is considered acceptable in relation to matters of design, landscape and impact on the countryside, ecology, amenity, heritage assets, contamination, flood risk and drainage and highways.

The proposal is acceptable in accordance with Policies S1, L1, BNE1, BNE2, BNE6**,** BNE18, BNE21, BNE23, BNE25, BNE37, BNE39, BNE43, T1, T4 and T13 of the Medway Local Plan 2003 and particularly paragraphs 115, 131, 135, 168, 180, 186, 189, 191, 200, 201 and 202 of the NPPF 2023.

The application is being referred for Committee determination as the applicant is Medway Council and the application is significant.

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**Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection on Medway Council's Website https://publicaccess1.medway.gov.uk/online-applications/